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Supreme Court
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SCPW-22-0000558

IN THE SUPREME COURT OF THE STATE OF HAWAII

DAVID BARTLEY LEAS, Petitioner,

vs.

THE HONORABLE GALE CHING,
Judge of the Family Court of the First Circuit, State of Hawai'i,
Respondent Judge,

and

CRYSTAL WAITKUS LEAS, Respondent.

ORIGINAL PROCEEDING

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

(By: Recktenwald, C.J., McKenna, Wilson, and Eddins, JJ., and
Circuit Judge Morikawa, in place of Nakayama, J., recused)

Upon consideration of the Petitioner's September 21, 2022 petition for a writ of mandamus, the record in the underlying litigation, 1DV161001014, and the record in CAAP-18-0000211, CAAP-18-0000536, CAAP-18-0000630, CAAP-18-0000704, CAAP-18-0000877, CAAP-19-0000023, CAAP-20-0000593, CAAP-21-0000454, and CAAP-22-0000549, we conclude that the Petitioner has failed to demonstrate that he has a clear and indisputable right to relief and no other remedy, see State ex rel. Kaneshiro v. Huddy, 82 Hawai'i 188, 193, 921 P.2d 108, 113 (1996). We further

conclude that a review of the entirety of the aforementioned cases does not establish conduct by the Respondent Judge that would warrant requiring disqualification. Cf. Peters v. Jamieson, 48 Haw. 247, 263-64, 397 P.2d 575, 586 (1964).

Therefore,

IT IS ORDERED that the petition is denied.

IT IS FURTHER ORDERED that the motion to disqualify the Respondent Judge from presiding over future proceedings in this matter is denied.

DATED: Honolulu, Hawai'i, October 14, 2022.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

/s/ Trish K. Morikawa

